

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1549 of 2020

Dr. Ratneshwar Prasad S/o Late Shankar Prasad, Resident of Luch County, Dew-106, Firends Colony, Road No. 4, P.O. and P.S.-Ashiana Nagar, Town and District-Patna, retired as Associate Professor, in the subject of Botany, Uma Pandey College, Pusa, Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Vice-Chancellor, Lalit Narayan Mithila University, Darbhanga.
4. The Registrar, Lalit Narayan Mithila University, Darbhanga.
5. The Finance Officer, Lalit Narayan Mithila University, Darbhanga.
6. The Principal, Uma Pandey College, Pusa, Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shashi Bhushan Singh, Adv.
For the State	:	Mr.Prabhat Ranjan Singh, AC to AAG 15
For the LNMU	:	Mr.Bindhyachal Rai, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

8 30-09-2024 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the LNMU.

2. The present writ petition has been filed for the following relief/s:-

“For issuance of an appropriate writ in the nature of mandamus commanding and directing the respondent authority to grant two increments on account of acquiring Ph.D degree w.e.f. 01.01.1996/27.7.98 in view of law laid down by the Hon’ble High Court in L.P.A. no.269 of 2016,



order dated 27.8.2017 and also a direction for grant of arrears of salary, revision of pension/earn leave on account of addition of two increments.”

3. Learned counsel for the petitioner submits that after acquiring Ph.D degree w.e.f. 01.01.1996, the petitioner has not been given two increments.

4. A supplementary counter-affidavit is filed on behalf of the State, in which, it is stated at paragraph-10 that resolution contained in memo no.15/M1-218/98 has been considered by the Hon'ble Patna High Court and has held in the order dated 15.11.2010 passed in CWJC No.15136 of 2010 & analogous matters, that the actual benefit would be from the initial stage i.e. 27.07.1998.

5. Learned counsel for the petitioner submits that the other teachers have been granted the said benefit but the petitioner has not yet been granted the same.

6. Considering this fact, the State Pay Verification Cell is directed to issue a correct pay slip to the petitioner, adding the two increments, acquired by the petitioner, within a period of six weeks and thereafter, the University is directed to make payment of the pre and post arrears of the petitioner within a further period of two months.



7. The present writ petition is disposed off with the
aforesaid directions.

(Anjani Kumar Sharan, J)

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